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**\*\*E-Filed 9/14/2009\*\***

Attorneys for Defendant  
HEWLETT-PACKARD COMPANY

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CARL K. RICH, et al.,

Plaintiffs,

v.

HEWLETT-PACKARD COMPANY, et al.,

Defendants.

CASE NO. C 06 03361-JF (HRL)

**JOINT STIPULATION REQUESTING  
RESCHEDULING OF CASE  
MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER GRANTING  
STIPULATION; AND DECLARATION OF  
COUNSEL**

Counsel for Plaintiffs Carl Rich and David Duran ("Plaintiffs") and counsel for Defendant Hewlett-Packard Company ("HP"), in support of their Stipulation Requesting Rescheduling of Case Management Conference, state as follows:

1. By Order dated August 13, 2009, the Court granted the parties' joint stipulation and rescheduled the hearing on Plaintiffs' motion for class certification for January 8, 2010, at 9:00 a.m. A previously-scheduled Case Management Conference remains on the Court's calendar for September 18, 2009 at 10:30 a.m. The parties agree and respectfully request that the Case Management Conference should follow the hearing on Plaintiffs' motion for class certification on January 8, 2010.

2. At the present time there are no other pending motions before the Court, although HP

1 has reserved the right to file a motion for summary judgment on the claims of any individual named  
2 plaintiff and to notice the hearing of such a motion on or before the hearing date set for Plaintiffs'  
3 motion for class certification. Accordingly, the parties respectfully submit that it would be more  
4 efficient to have the Case Management Conference follow the hearing on Plaintiffs' motion for class  
5 certification on January 8, 2010.

6 3. Pursuant to Civil Local Rule 6-2, a date of an event or deadline already fixed by Court  
7 order may be enlarged or changed if the parties so stipulate; the stipulation is accompanied by a  
8 declaration addressing the reasons for the requested change, previous time modifications, and the  
9 effect that the requested time modification would have on the schedule set for the case; and the  
10 parties obtain an order from the Court approving the requested enlargement of time. A declaration of  
11 counsel providing the information required by Civil Local Rule 6-2 follows this Stipulation.

12  
13 **IT IS SO STIPULATED.**

14 DATED: September 10, 2009

COTCHETT, PITRE & MCCARTHY

15  
16 By: /s/ Justin T. Berger\*

17 Attorneys for Plaintiffs CARL RICH and DAVID  
18 DURAN

19 DATED: September 10, 2009

GIBSON, DUNN & CRUTCHER LLP

20  
21 By: /s/ Christopher Chorba\*

22 Attorneys for Defendant HEWLETT-PACKARD  
23 COMPANY

24 \*I hereby attest that I have on file all holograph  
25 signatures for any signatures indicated by a  
26 "conformed" signature (/s/) within this efiled document.  
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## DECLARATION OF CHRISTOPHER CHORBA IN SUPPORT OF STIPULATION

1. I, Christopher Chorba, am an attorney admitted to practice before this Court and all courts of the State of California. I am an associate attorney in the law firm of Gibson, Dunn & Crutcher LLP, attorneys of record for Defendant Hewlett-Packard Company (“HP”). I make this declaration in support of the Joint Stipulation and [Proposed] Order Requesting Rescheduling of Case Management Conference. I have personal knowledge of the facts stated herein, and, if called as a witness, I could and would testify competently to those facts.

2. By Order dated August 13, 2009, the Court granted the parties' joint stipulation and rescheduled the hearing on Plaintiffs' motion for class certification for January 8, 2010, at 9:00 a.m. A previously-scheduled Case Management Conference remains on the Court's calendar for September 18, 2009 at 10:30 a.m. The parties agree and respectfully request that the Case Management Conference should follow the hearing on Plaintiffs' motion for class certification on January 8, 2010.

3. The Court has not set any dates other than that for hearing on Plaintiffs' motion for class certification. Therefore, granting the time modification requested in the parties' stipulation will not require extensions to any other deadlines.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed at Los Angeles, California, on September 10, 2009.

By: /s/ Christopher Chorba\*

\*I hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/s/) within this efiled document.

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8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 CARL K. RICH, et al.,

12 Plaintiffs,

13 v.

14 HEWLETT-PACKARD COMPANY, et al.,

15 Defendants.  
16

CASE NO. C 06 03361-JF (HRL)

**[PROPOSED] ORDER GRANTING JOINT  
STIPULATION REQUESTING  
RESCHEDULING OF CASE  
MANAGEMENT CONFERENCE**

17 The Court having reviewed the parties' stipulation to reschedule the Case Management  
18 Conference and the accompanying declaration of counsel, and having found good cause shown, IT IS  
19 ORDERED as follows:

20 The Court reschedules the Case Management Conference from September 18, 2009, at 10:30  
21 a.m., to January 8, 2010, immediately following the hearing on Plaintiffs' motion for class  
22 certification (currently scheduled for 9:00 a.m.).

23 **IT IS SO ORDERED.**

24 Date: 9/14/2009

25   
HONORABLE JEREMY FOGEL  
26 UNITED STATES DISTRICT JUDGE  
27  
28

1 **CERTIFICATE OF SERVICE**

2 I, Dhananjay S. Manthripragada, declare as follows:

3 I am employed in the County of Los Angeles, State of California; I am over the age of  
4 eighteen years and am not a party to this action; my business address is 333 South Grand Avenue,  
5 Los Angeles, CA 90071 in said County and State.

6 I hereby certify that on September 10, 2009, the following documents were electronically  
7 transmitted to the Clerk of the Court using the CM/ECF System: **JOINT STIPULATION**  
8 **REQUESTING RESCHEDULING OF CASE MANAGEMENT CONFERENCE;**  
9 **[PROPOSED] ORDER GRANTING STIPULATION; AND DECLARATION OF COUNSEL.**

10 I further certify that copies of the foregoing documents were transmitted on September 10, 2009, via  
11 e-mail, to each of the persons named on the attached Service List. I caused each such document to be  
12 transmitted by PDF Format, to the parties and e-mail addresses indicated on the attached Service List.

13 I declare under penalty of perjury that the foregoing is true and correct.

14 DATED: September 10, 2009

GIBSON, DUNN & CRUTCHER LLP

15 By: /s/ Dhananjay S. Manthripragada\*

16  
17 Attorneys for Defendant HEWLETT-PACKARD  
COMPANY

18 \*I hereby attest that I have on file all holograph  
19 signatures for any signatures indicated by a  
"conformed" signature (/s/) within this efiled document.  
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